

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- March 22, 1967

Appeal No. 9135 Bernard and Frances Hughes, appellants.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on March 28, 1967.

ORDERED:

That the appeal to change a nonconforming use from dry cleaning pick-up station to retail store selling new and used furniture, appliances and household products at 3603 - 18th Street, NE., lot 191, square 4202, be denied.

FINDINGS OF FACTS:

- (1) The subject property is located in an R-1-B District.
- (2) The property is improved with a two story brick row structure with a store front on the first floor. The upper floor is used as an apartment and has a separate entrance.
- (3) It is proposed to open a retail store to sell new and used furniture, appliances and household products.
- (4) The tenant would operate the store with his wife.
- (5) The store would operate six days a week from 10 a.m. to 8 p.m.
- (6) There was no opposition to the granting of this appeal registered at the public hearing.
- (7) Under the current Zoning Regulations furniture stores are first permitted as a matter of right in the C-2 zoning district.

OPINION:

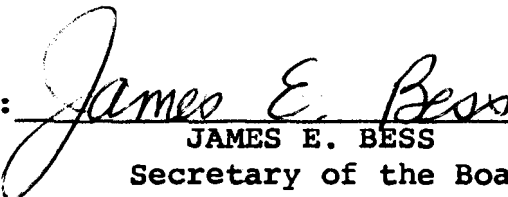
We are of the opinion that changing this nonconforming use from a dry cleaning pick-up station to a furniture store would have an adverse affect upon the present character and future development of this neighborhood. A furniture store is not a neighborhood use. Indeed, customers probably will come from all over the community. This is not the kind of nonconforming use contemplated to continue in a residential district.

Further, the regulations do not permit changing the use from one classification to another higher classification. A nonconforming use should continue, if at all, within the same use category until it ceases to exist. Therefore, we must deny this appeal.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By:


JAMES E. BESS
Secretary of the Board